

Buchanan Ingersoll PC

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June 9, 2004

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Application of Lhing-Yew Li, et al.
"Polynucleotide Constructs for Increased Lysine Production"
Serial No. 10/067,974, filed February 8, 2002
Group Art Unit: 1652
Examiner: Kerr, Kathleen M.
Attorney Reference No.: 030738

Dear Sir:

Enclosed please find the following documents for filing herewith:

1. Amendment and Response to Non-Final Official Action (including Declaration of Lhing-Yew Li and corrected Figure 10);
2. Form PTO/SB/25, Terminal Disclaimer;
3. Form PTO/SB/82, Revocation of Power of Attorney;
4. Form PTO/SB/81, Power of Attorney and Correspondence Address Indication Form;
5. Form PTO/SB/96, Statement under 37 CFR 3.73(b) (including copy of Assignment);
6. Form PTO/SB/22, Petition for Extension of Time of one month;
7. Form PTO/SB/17, Fee Transmittal;
8. Form PTO/SB/06, Patent Application Fee Determination Letter;
9. Article - Liebl, et al., *International Journal of Systematic Bacteriology*, 41 (2): 255-260 (1991);
10. Check in the amount of \$274.00;

June 9, 2004

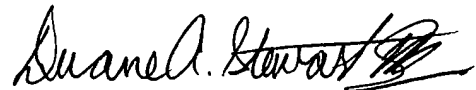
Page - 2 -

11. Certificate of Mailing by Express Mail; and

12. Return Postcard.

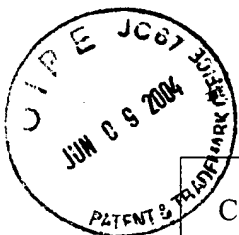
It is believed that no extension of time beyond that requested is necessary for the timely filing of these documents. It is also believed that no payment for net addition of claims beyond that already submitted is required. If an additional payment is required to make the response timely or satisfy the requirements for additional claims, please deduct the amount of any such fee(s) from Deposit Account No. 02-4553. A duplicate copy of this letter is enclosed for that purpose. Thank you for your attention to these matters.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Duane A. Stewart III", with a stylized flourish at the end.

Duane A. Stewart III
Reg. No. 54,468

DASIII/emp
Enclosures



CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER
37 CFR 1.10 - SEPARATE PAPER

ATTORNEY'S DOCKET NO.

030738

IN RE APPLICATION OF:

Lhing-Yew Li, et al.

Serial No.:

10/067,974

Filing Date:

February 8, 2002

Title:

Polynucleotide Constructs for Increased Lysine Production

Group Art Unit

1652

Examiner

Kerr, Kathleen M.

Express Mail mailing label number: EV 369816321 US

Date of Deposit: June 9, 2004

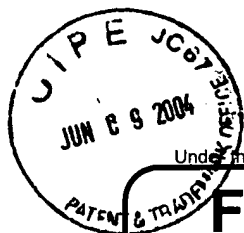
I hereby certify that this paper or fee is being deposited with the
United States Postal Service "Express Mail Post Office to Addressee"
service under 37 CFR 1.10 on the date indicated above and is addressed
to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450.

Ellie Pingree

(Typed or printed name of person mailing paper or fee)

Ellie Pingree

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 274.00

Complete if Known

Application Number	10/067,974
Filing Date	February 8, 2002
First Named Inventor	Lhing-Yew Li
Examiner Name	1652
Art Unit	Kerr, K. M.
Attorney Docket No.	030738

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

02-4553

Buchanan Ingersoll PC

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☒ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1) (\$)					

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	28	Extra Claims	3	Fee from below	18	Fee Paid	54.00
Independent Claims	1	- 3** =	0		86		0.00
Multiple Dependent							

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)					54.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	110.00
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) Terminal Disclaimer					110.00

SUBTOTAL (3) (\$) 220.00

SUBMITTED BY

Name (Print/Type) Duane A. Stewart III

Registration No. 54,468
(Attorney/Agent)

(Complete if applicable)

Telephone 412-562-1622

Signature

Duane A. Stewart III

Date

June 9, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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